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2 **UNITED STATES DISTRICT COURT**

3 **DISTRICT OF NEVADA**

4 \* \* \*

5 Courtney Motley,

6 Plaintiff,

7 v.

8 Carlos Silva, et al.,

9 Defendants.  
10

Case No. 2:23-cv-00624-RFB-BNW

**ORDER**

11 On October 8, 2024, this case was consolidated with Case No. 2:24-cv-00981 given the  
12 similarities in allegations contained in each of those complaints. ECF No. 40. As the Order explains,  
13 the complaint in Case No. 2:24-cv-00981 was never screened.

14 **I. Plaintiff must provide clarification no later than December 27, 2024**

15 Upon looking at each of these complaints, it appears that the allegations in Case No. 2:23-  
16 cv-00624 took place in August 2021 while the allegations in Case No. 2:24-cv-00981 took place in  
17 August 2024. Having said that, the allegations in each of the two complaints are very similar and  
18 many of the same defendants are named in each of the complaints. Given this, the Court will order  
19 Plaintiff to clarify whether (1) these are two separate incidents (one taking place in 2021 and one  
20 taking place in 2024) or (2) whether this is all one incident (taking place in 2021). This clarification  
21 will be due no later than December 27, 2024. Failure to respond by this deadline may result in the  
22 case moving forward only against the defendants identified in the screening order at ECF No. 4.  
23 This Court will provide further instructions once it has received a response from Plaintiff.

24 **II. Plaintiff must serve Yasmeen Rubin**

25 While the screening order has allowed certain causes of action to proceed against Ms.  
26 Rubin, Ms. Rubin has not been served. *See* ECF Nos. 14, 15, 41. Plaintiff is responsible for  
27 providing the correct address for Yasmeen Rubin to the U.S. Marshal's Office so that service can  
28 take place. This Court will sua sponte extend the deadline to serve Ms. Rubin. Plaintiff must fill

1 out and return the attached USM-285 form to the U.S. Marshall by December 27, 2024. Once the  
2 U.S. Marshal receives that USM-285 form for Ms. Rubin, they will have until January 31, 2025, to  
3 serve her.

4 **III. Conclusion**

5 **IT IS THEREFORE ORDERED** that Plaintiff must provide clarification regarding the  
6 allegations in each of the complaints no later than December 27, 2024.

7 **IT IS FURTHER ORDERED** that the Clerk of Court must send Plaintiff a blank copy of  
8 form USM-285.


9 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to issue a summons for  
10 defendant Yasmeen Rubin.

11 **IT IS FURTHER ORDERED** that Plaintiff shall have until December 27, 2024, to fill out  
12 the required USM-285 form and return it to the U.S. Marshal Service. On the form, Plaintiff must  
13 fill in defendant Yasmeen Rubin's last-known address.

14 **IT IS FURTHER ORDERED** that the Clerk of Court serve a copy of this order, the issued  
15 summons, and the operative complaint (ECF No. 5) on the U.S. Marshals Service.

16 **IT IS FURTHER ORDERED** that upon receipt of the USM-285 form, the U.S. Marshal  
17 shall, in accordance with Federal Rule of Civil Procedure 4(c)(3), attempt service on defendant  
18 Yasmeen Rubin.

19  
20 DATED: November 22, 2024.

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22   
23 BREND A WEKSLER  
24 UNITED STATES MAGISTRATE JUDGE  
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